

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

## **GOVERNMENT'S RESPONSE TO PRO SE MOTION TO UNSEAL RECORD DOCUMENTS**

COMES NOW the United States of America, by and through its Undersigned Assistant United States Attorney, and in opposition thereto would respectfully show unto the Court the following:

1. It is unclear from the Defendant's Motion the purpose for which he seeks to unseal the information. Accordingly, the United States cannot ascertain if the material should be unsealed, or whether the information can be provided in any form. In addition to these matters being sealed, there is also a protective order in place in this case.
2. The undersigned has called Cynthia Orr, the Defendant's prior counsel in this matter to seek clarification. The Defendant indicates in his Motion that Attorney Orr is not the focus of any of these inquiries. Counsel has stated that she will seek clarification from the Defendant to determine whether there is a way to accommodate the Defendant that will not jeopardize the interests of the United States and third parties.
3. The United States disagrees with the Defendant's assertion in paragraph 5 that the documents sought would not present any concerns for any individual other than Gonzalez. Again, if there were some clarification, it may be possible that materials could be provided under protective order or in redacted form, but at this time, the relief sought is inappropriate.

WHEREFORE, PREMISES CONSIDERED, the United States requests that the Defendant's Motion be denied, or in the alternative, that this Motion be held in abeyance until the clarification sought from former Counsel is obtained from defendant, Raul Gonzalez, Jr.

Respectfully submitted,

RICHARD DURBIN JR  
UNITED STATES ATTORNEY

/s/

BY: \_\_\_\_\_

RUSSELL LEACHMAN  
Assistant United States Attorney  
601 NW Loop 410, Suite 600  
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(210) 384-7150/Fax (210) 384-7118

**CERTIFICATE OF SERVICE**

I hereby certify that on the 10th day of August, 2016, a true and correct copy of the foregoing instrument was electronically filed with the Clerk of the Court using the CM/ECF System which will provide an electronic copy to Attorney of Record; and a copy will be mailed to Raul Gonzalez, Jr.

/s/

\_\_\_\_\_  
RUSSELL LEACHMAN  
Assistant United States Attorney

**UNITED STATES DISTRICT COURT  
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UNITED STATES OF AMERICA, )  
                                  )  
Plaintiff,                    )  
                                  )                                    SA-13-CR-785-OG  
V.                             )  
                                  )  
RAUL GONZALEZ, JR.,        )  
                                  )  
Defendant.                    )

**ORDER**

On this date came on to be considered the Government's Response to Defendant's Motion to Unseal Record Documents, and the Court, having considered same, is of the opinion that said Defendant's motion should be denied.

It is therefore ORDERED that the Defendant's Motion to unseal record documents is denied.

SIGNED and ENTERED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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ORLANDO GARCIA  
CHIEF UNITED STATES DISTRICT JUDGE